

04-26-04

AFJ/1762 JFW

Express Mail No. EV 337 974 153 US

PATENT

Attorney Docket No.: 50623.00041



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

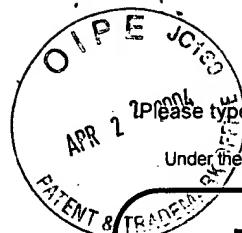
| | |
|--|---|
| In re Application of: Wouter E. Roorda et al. Serial No.: 09/894,293 Filed: 27 June 2001 Title: Methods of Coating an Implantable Device | Examiner: Jennifer Kolb Michener Art Unit: 1762 |
|--|---|

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION

Dear Examiner Michener:

This responds to the Office Action dated February 20, 2004.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|-------------------------|
| | | Application Number | 09/894,293 |
| | | Filing Date | June 27, 2001 |
| | | First Named Inventor | Wouter E. Roorda et al. |
| | | Group Art Unit | 1762 |
| | | Examiner Name | Jennifer Kolb Michener |
| Total Number of Pages in This Submission (excluding references) | 28 | Attorney Docket Number | 50623.41 |

ENCLOSURES (check all that apply)

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization <input checked="" type="checkbox"/> Postage Paid Return Postcard <input checked="" type="checkbox"/> Response (25 pages) <input checked="" type="checkbox"/> Amendment Transmittal Letter (in duplicate) <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Petition for Extension of Time (1 month) (in duplicate) <input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Express Mail Label No. EV 337 974 153 US <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) In/Formal ____ Sheets with Submission of Drawings Transmittal <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Squire, Sanders & Dempsey L.L.P. Charles E. Runyan Jr., Ph.D., Reg. No. 43,066 |
| Signature | |
| Date | April 22, 2004 |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313 on this date: April 22, 2004.

| | | | |
|-----------------------|-----------------|------|----------------|
| Typed or printed name | Patricia Gamble | | |
| Signature | | Date | April 22, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Docket No.

50623.41

Applicant(s): Wouter E. Roorda et al

Serial No.

09/894,293

Filing Date

June 27, 2001

Examiner

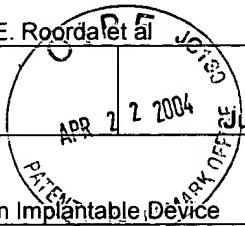
Jennifer Kolb Michener

Group Art Unit

1762

Invention:

Methods of Coating an Implantable Device

**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as show below.

CLAIMS AS AMENDED

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
|--|-------------------------------------|-----------------------------|--------------------------------|-----------|----------------|
| TOTAL CLAIMS | 36 | 39 | 0 | X \$18.00 | \$00.00 |
| INDEP. CLAIMS | 8 | 8 | 0 | X \$86.00 | \$00.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$00.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$00.00 |

- No additional fee is required for amendment.
 Please charge Deposit Account No. 07-1850 in the amount of \$00
A duplicate copy of this sheet is enclosed.
 A check in the amount of _____ to cover the filing fee is enclosed.
 The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 07-1850
A duplicate copy of this sheet is enclosed.
 Any additional filing fees required under 37 C.F.R. 1.16.
 Any patent application processing fees under 37 C.F.R. 1.17.

Dated: April 22, 2004

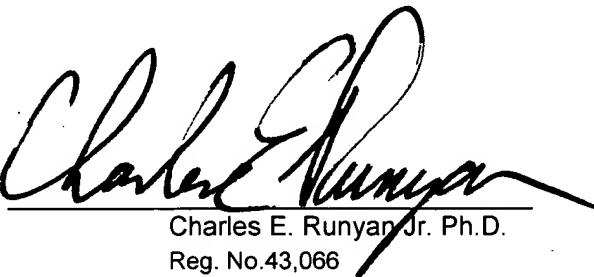
Squire, Sanders & Dempsey L.L.P.

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(415) 954-0200

cc: Docket:



Charles E. Runyan Jr. Ph.D.

Reg. No.43,066